

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

Tower Automotive, Inc.

Debtors.

Chapter 11

Case No. 05-10578

**STATEMENT OF FINANCIAL AFFAIRS**

**Note 1:** The Schedules and Statements have been prepared by the Debtor's management and are unaudited. While management of the Debtor has made every effort to ensure that the Schedules and Statements are accurate and complete based on information that was available at the time of preparation, the subsequent receipt of information may result in material changes in financial data contained in the Schedules and Statements and inadvertent errors or omissions may exist. To the extent the Debtor discovers additional information that may suggest a material difference, the Debtor will amend the Schedules and Statements to reflect such changes. Accordingly, the Debtor reserves all rights to amend its Schedules and Statements as may be necessary or appropriate.

**Note 2:** Unless otherwise indicated, all amounts are listed as of February 2, 2005 (the "Petition Date"), the date that the Debtor commenced its chapter 11 case.

**Note 3:** It would be prohibitively expensive and unduly burdensome to obtain current market valuations of the Debtor's property interests. Accordingly, unless otherwise indicated, net book values, rather than current market values, of the Debtor's interests in property are reflected on the Debtor's Schedules.

**Note 4:** The claims of individual creditors for, among other things, goods, products, services or taxes are listed as the amounts entered on the Debtor's books and records and do not reflect credits or allowances due from such creditors to the Debtor. The Debtor reserves all of its rights respecting such credits and allowances.

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**1. Income from Employment or Operation of Business**

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

AMOUNT	SOURCE	PERIOD

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## 2. Income Other than from Employment or Operation of Business

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Period	SOURCE	Amount
1/1/05- 2/1/05	International Currency Exchange Gain	-
	Interest Income	-
	Third Party Royalty Income	-
	Metalsa Tech Fees	-
	TGR Dividends	-
	Other Income	-
	<b>Total</b>	<b>\$ -</b>
2004	International Currency Exchange Gain	-
	Interest Income	-
	Third Party Royalty Income	-
	Metalsa Tech Fees	-
	TGR Dividends	-
	Other Income	-
	Gain on sale of investment of Yorozu	-
	<b>Total</b>	<b>\$ -</b>
2003	International Currency Exchange Gain	-
	Interest Income	270,088
	Metalsa Tech Fees	-
	TGR Dividends	-
	Third Party Royalty Income	-
	Other Income	-
	<b>Total</b>	<b>\$ 270,088</b>

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### 3. Payments to Creditors

- a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME OF CREDITOR	ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
TOTAL			\$ -	\$ -

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### 3. Payments to Creditors

b.

List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses)

None ☒

NAME	ADDRESS	TITLE	DATE OF PAYMENT	TYPE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
TOTAL					\$ -	\$ -

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#### 4. Suits, Executions, Garnishments and Attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
Gary Bouche, Administrator of the Estate of Robert Bouche, Deceased v R. P. Sweeney Warehouse and Robert P. Sweeney and Shane Randol and Tower Automotive, Inc. and Tower Automotive Wisconsin, LLC and Tower Automotive Case No.: 04CV0, 517	Personal injury/indemnification.	Seneca County, Court of Common Pleas (Ohio)	Open
Tower Automotive, Inc. v Michigan State Tax Commission and Wayne Co.	Refund of tax payments.	Michigan Tax Tribunal	Open
Tower Automotive, Inc. v Dombrowski  Case No. 01-669-CK	Collection action.	Macomb County Circuit Ct (Michigan)	Open
Tower Automotive, Inc. v Shape Corp.  Case No.: 04-48815-CK	Breach of contract.	Ottawa County Circuit Court (MI)	Open

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a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
Shape Corp. v. Tower Automotive, Inc.	Counter-claim for breach of contract.	Ottawa County Circuit Court (MI)	Open
Rick L. Lilly v Tower Automotive, Inc.  Case No.: 0501CT001	Personal injury.	DeKalb County Superior Court (IN)	Open
Central Transport Int'l v. Pain Enterprises, Inc. and Tower Automotive, Inc.  Case No. 04cv0641	Collections action.	Allen County Court of Common Pleas (OH)	Closed
Converge Inc. v. Juili Enterprise Co., Ltd., Tower Automotive, Inc., Tesma Automotive Group, Inc.	Injunction.	Kent County Circuit Court (MI)	Closed

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a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
Edgar Douglas Jr., on behalf of himself and all other similarly situated v. A.O. Smith Corporation, Tower Automotive Products Company, Inc., Tower Automotive Milwaukee LLC, Tower Automotive, Inc., and R.J. Tower Corporation  Case No. 03c1490	Class action concerning early retirement supplements.	U.S.D.C.E.D. WI	Closed-entered tolling agreement.
Karen Cathleen Hahn v. Tower Automotive, Inc.  Case No. 02-002029-NZ	Sexual harassment/discrimination.	Huron County Circuit Court (MI)	Closed
Jim and Kayren Campbell v. Tower Automotive, Inc.  Case No. 03-23088-NZ	Breach of contract/discrimination.	Grand Traverse County Circuit Court (MI)	Closed



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#### 4. Suits, Executions, Garnishments and Attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
David M. Blank, Sylvester Obremski, James P. Shipley, Otha L. Smith, Jr., and Terry S. Vick v Tower Automotive Products Co., Inc. Tower Automotive Milwaukee, LLC and Tower Automotive, Inc.  Case No. 02-C-1073	Breach of contract.	U.S.D.C.E.D. Wisconsin	Open
Raymond P. Sieders v. Tower Automotive, Inc. f/k/a Active Tool & Manufacturing Co., Inc. a/k/a Active Metalforming Technologies, Inc., a Delaware corporation  Case No.: 03-4683-CZ	Handicap discrimination.	Macomb County Circuit Court (Michigan)	Open
Wells, Monica R. and Laura K. Creager v. Tower Automotive Inc.  Case No. 1:04-CV-067	Gender discrimination.	U.S.D.C. N.D. of Indiana	Open

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#### 4. Suits, Executions, Garnishments and Attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
Button, James R. v Tower Automotive, Inc.  Case No. 04-60109	Breach of contract.	U.S.D.C.E.D. Michigan	Open
James W. Arnold v Tower Automotive  Case No.: 04-72594	Breach of contract.	U.S.D.C.E.D. Michigan	Open
Tower Automotive Products Company, Inc., Tower Automotive Milwaukee, L.L.C., Tower Automotive, Inc., and R.J. Tower Corporation vs. Tommy Burress, et al.  Case No. 04-C-1098	Breach of contract.	U.S.D.C.E.D. Wisconsin	Open

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#### 4. Suits, Executions, Garnishments and Attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
Tower Automotive, Inc. v Oxford Automotive, Inc., Jeffrey W. Wilson, John Craig, and Daniel McCleary Case No. 03- 5200- CK	Breach of contract.	Macomb County Circuit Court (Michigan)	Closed
Yong harden v. Clarklift of Detroit, Inc. d/b/a Clarklift of Detroit-South and Clarklift of Detroit, Inc., d/b/a Clarklift of Detroit-South v. Dura Automotive Systems, Inc.	Breach of contract	Wayne County Circuit Court (Michigan)	Closed
Fabrasteel Products v. Genfast Manufacturing	Patent Infringement	No suit filed.	Debtor has been informed that settlement agreement was reached, but has not received information.
Various	Claims against insurance policies.	No suit filed. Claims made regarding employees in Ohio.	Open.
Broadcast Music Inc.	Copyright infringement.	No suit filed.	Open.
Copyright Clearance Center	Copyright infringement.	No suit filed.	Open.
Ken Clavette	Breach of Contract.	No suit filed.	Closed.

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a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☐

Caption of Suit and Case Number	Nature of Proceeding	Court or Agency and Location	Status or Disposition
Epperson, Fred v Ford Motor Company Case No. 02-L-1576	Personal injury	Madison County Circuit Ct (Illinois)	Open.
Shape Corporation	Patent Infringement	No suit filed	Open.
Hardev Kumar v. Tower Automotive	Breach of contract	Ontario Labor Relations Board	Open.
Lumberman's Mutual Casualty Company	Invoice for insurance premiums	No suit filed	Open.
Brian Goodchild	Compensation dispute.	No suit filed	Open.
Edward Sullivan	Personal injury	No suit filed	Open.
MIOSHA	Various MIOSHA violations	MIOSHA	Open.
Unnamed Claimant	One Day Rest in Seven Act		Open.
Lemelson Medical, Education & Research Foundation Limited Partnership	Patent Infringement	No suit filed	Open.

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#### 4. Suits, Executions, Garnishments and Attachments

- b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY

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## 5. Repossession, Foreclosures and Returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case.

(Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE, SALE, TRANSFER, OR RETURN	DESCRIPTION AND VALUE OF PROPERTY

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## 6. Assignments and Receiverships

- a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT

- b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESSES OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE AND NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY

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## 7. Gifts

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
TOTAL			\$ -



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## 8. Losses

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND IF LOSS WAS RECOVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
TOTAL \$ -		

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## 9. Payments Related to Debt Counseling or Bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

None ☐

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Citigroup Global Markets	1/31/2005	\$ 125,659.23
FTI Consulting, Inc.	1/18/2005	\$ 250,000.00
	1/25/2005	227,358.50
	2/1/1005	353,920.50
	Total	\$ 831,279.00
Gavin Anderson & Company	1/19/2005	\$ 50,000.00
	2/1/2005	50,000.00
	Total	\$ 100,000.00
Hewitt Associates	1/31/2005	\$ 214,717.00
JP Morgan Chase Bank	1/25/2005	\$ 400,000.00
Kirkland & Ellis LLP	Various	\$ 742,815.96
Pepper Hamilton LLP	2/1/2005	\$ 25,462.82
Rothschild, Inc.	1/28/2005	\$ 216,865.00

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List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

None ☐

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Togut, Segal & Segal LLP	2/1/2005	\$ 100,000.00
	<b>Total</b>	<b>\$ 2,756,799.01</b>

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## 10. Other Transfers

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

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## 11. Closed Financial Accounts

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions.

None ☒

NAME AND ADDRESS OF INSTITUTION	TYPE AND NUMBER OF ACCOUNT AND AMOUNT OF FINAL BALANCE
	<u>Name:</u> <u>Type:</u> <u>Number:</u> <u>Balance:</u> <u>Date of Closing:</u>

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## 12. Safe Deposit Boxes



None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESSES OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY

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### 13. Setoffs

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF

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#### **14. Property Held for Another Person**

None ☐ List all property owned by another person that the debtor holds or controls.

In the ordinary course of business and in accordance with industry custom, the Debtor retains a significant number of molds, tooling, dies and other equipment, which are owned by the Debtors' customers. This customer-owned property is not specifically listed herein.

The Debtor may also be in possession of two other types of property that could be deemed "held for another person." First, certain raw materials and supplies that are located on the Debtor's plant property may have been delivered by vendors pursuant to consignment agreements. Such agreements generally set forth the terms and conditions under which the raw materials and supplies are to be used and paid for by the Debtor. The Debtor generally agrees to pay its vendors if and when raw materials are actually used by the Debtor, as determined by periodic reconciliation of such amounts between such vendors and the Debtor. Second, in the ordinary course of the Debtor's business, the Debtor sells inventory to its customers, and may hold deposits or advance payments from its customers, and may hold for rework, certain products that have been returned to the Debtor for nonconformity with applicable specifications or warranties.



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### 15. Prior Address of Debtor

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

None ☐

ADDRESS	NAME USED	DATE OF OCCUPANCY
5211 Cascade Road SE Grand Rapids, MI 49546		

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## 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the sixyear period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

None ☒

NAME

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## 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites. "Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None ☒

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW

- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None ☒

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW

- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None ☒

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION

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## 18. Nature, Location and Name of Business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.



If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

None

NAME	TAXPAYER I.D. NO. (EIN)	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES OF OPERATION

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.



None

NAME	ADDRESS

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**19. Books, Records and Financial Statements**

None ☐ a. List all bookkeepers and accountants who within the two years immediately preceding the filing of this  
bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	TITLE	DATES SERVICES RENDERED
James A. Mallak 21275 Haggerty Road Novi, MI 48377	Chief Financial Officer	1/5/04-Current
Kathy J. Johnston 21275 Haggerty Road Novi, MI 48377	Vice President (principal accounting and financial officer)	8/13/03-1/5/04
Erenst T. Thomas 21275 Haggerty Road Novi, MI 48377	Chief Financial Officer	11/1/02-8/13/03
Christopher T. Hatto 21275 Haggerty Road Novi, MI 48377	Controller	3/1/04-Current
Bradley Kirk 21275 Haggerty Road Novi, MI 48377	Controller	7/9/01-2/28/04

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## 19. Books, Records and Financial Statements

None ☐ b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME AND ADDRESS	TITLE	DATES SERVICES RENDERED
Deloitte & Touche LLP Suite 900, 600 Renaissance Center Detroit, MI 48243	Auditor	2004-present
Deloitte & Touche LLP 400 One Financial Plaza, 120 South Sixth Minneapolis, MN 55402	Auditor	2003

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### 19. Books, Records and Financial Statements

None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME	ADDRESS
James A. Mallak	21275 Haggerty Road Novi, MI 48377
Christopher Hatto	21275 Haggerty Road Novi, MI 48377

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## **19. Books, Records and Financial Statements**

- d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

The Debtors in these jointly administered cases and their non-filing affiliates provide consolidated financial statements in the ordinary course of business, and in compliance with federal securities laws and other regulations, to a large number of parties including financial institutions, investment banks, customers, vendors, attorneys, regulatory agencies and shareholders. The Debtor in this case also provides statutory individual financial statements in the ordinary course of business, and in compliance with applicable laws and regulations, to various government entities.



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## 20. Inventories

None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY	INVENTORY SUPERVISOR	DOLLAR AMOUNT OF INVENTORY

None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY	NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

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## 21. Current Partners, Officers, Directors and Shareholders

None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the

NAME AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST

None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

Name and Address	TITLE	NATURE AND PERCENTAGE OF STOCK OWNERSHIP
Georgia Nelson	Director	
S.A. (Tony) Johnson	Director, Chairman	
Kathleen Ligoeki	Director, President, CEO	
F. J. Loughrey	Director	
James Lozelle	Director	
Ali Jenab	Director	
Juergen Geissinger	Director	
Anthony Fernandes	Director	
James Mallak	Treasurer, Chief Financial Officer, Secretary	
Christopher Hatto	VP	
Kathy J. Johnston	VP	
Jeffrey L. Kersten	VP	
Vincent Pairet	VP	
Thomas Werle	VP	
Terry Gohl	VP	
Gyula Meleghy	VP	
Sharon Wenzl	VP	
Bill Pumphrey	VP	
Citigroup Global Markets	Shareholder	6.5% Common Stock
Barclays Global Investors NA	Shareholder	6.3% Common Stock
Dimension Fund Advisors, Inc.	Shareholder	7.7% Common Stock
FMR Corp.	Shareholder	9.9% Common Stock
Strong Capital Management, Inc.	Shareholder	5.4% Common Stock
State of Wisconsin Investment Board	Shareholder	6.9% Common Stock (date is uncertain, so this amount might not be accurate as of filing date)
Timothy R. Barakett	Shareholder	7.3% Common Stock
Missouri Valley Partners	Shareholder	6.0% Common Stock
Highbridge International LLC	Shareholder	7.0% Common Stock and convertible debentures
Northwestern Mutual Life Insurance Company	Shareholder	6.1% Common Stock and convertible debentures

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## 22. Former Partners, Officers, Directors and Shareholders

None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NAME	ADDRESS	DATE OF WITHDRAWAL

None ☐ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

NAME AND ADDRESS	TITLE	DATE OF TERMINATION
Enrique Zambrano	Director	9/16/2004
Daniel Webber	Asst. Secretary	9/21/2004
Richard S. Burgess	VP	7/16/2004
Tommy G. Pitser	VP	11/12/2004
Antonio R. Zarate	VP	8/31/2004

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### 23. Withdrawals from a Partnership or Distributions by a Corporation

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

None ☒

NAME AND ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OR PROPERTY

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## 24. Tax Consolidation Group

None ☒ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the six-year period immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION	FEDERAL TAX ID NUMBER (EIN)	CONSOLIDATED GROUP

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## 25. Pension Funds

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six-year period immediately preceding the commencement of the case.

None ☐

NAME OF PENSION FUND	FEDERAL TAX ID NUMBER
Tower Automotive Money Purchase Plan & Trust	41-1746238

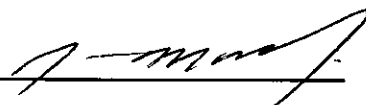
In re: TOWER AUTOMOTIVE, INC. - Debtor

Case No. 05-10578 (ALG)

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A  
CORPORATION**

I, the Chief Financial Officer of the TOWER AUTOMOTIVE, INC. named as debtor in this case, declare under penalty of perjury that I have read the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date: April 4, 2005

Signature 

Print Name James Mallak

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Section 152 and 357